

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JARED WAYNE HUFF,

Plaintiff,

V.

KILOLO KIJAKAZI, Commissioner of
Social Security,

Defendant.

CASE NUMBER: 1:20-cv-00821-GSA

**ORDER GRANTING PARTIAL
EXTENSION OF DEFENDANT'S
RESPONSE BRIEF DEADLINE**

The parties stipulate to a 45-day extension of time from October 29, 2021 to December 13, 2021 for Defendant to file a response brief.

The Scheduling Order allows for a single extension of thirty days by the stipulation of the parties. Doc. 7 at 3. Beyond the single extension by stipulation, “requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause.” *Id.*

When considering whether good cause exists to modify a scheduling order, courts consider the foreseeability of the impediment to meeting the deadline and the party's diligence in seeking the extension once it became apparent they could not meet the deadline. *See Sharp v. Covenant Care LLC*, 288 F.R.D. 465, 467 (S.D. Cal. 2012); *Ordaz Gonzalez v. Cty. of Fresno*, No. 1:18-CV-01558-BAM, 2020 WL 2539287, at *2 (E.D. Cal. May 19, 2020). The Court has the inherent power to manage its own docket to achieve an orderly and expeditious resolution of cases. *Southern California Edison Co. v. Lynch*, 307 F.3d 794 (9th Cir. 2002).

This is the fourth extension of time granted in this matter. It is Defendant's third extension of time in this matter, and the second for this particular deadline. Counsel seeks the extension because the matter was assigned interoffice to a new attorney. Although this is good cause for an

1 extension, it is the same cause identified in the previous extension request, which was granted.
2 Moreover, counsel did not seek the extension until 2 days before the deadline. Lengthy and
3 repeated extensions only further exacerbate existing case backlog. A 45-day extension does not
4 seem warranted. Counsel will be granted a 30-day extension

5 Accordingly, it is **ORDERED** that Defendant's deadline to file a response brief is extended
6 to and including November 29, 2021. All other deadlines are adjusted accordingly.

7 IT IS SO ORDERED.
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9 Dated: October 28, 2021

/s/ **Gary S. Austin**
10 UNITED STATES MAGISTRATE JUDGE

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